

Arkansas, Louisiana, New Mexico, Oklahoma, Texas, and 66 Tribal Nations

*Scroll down for the full PDF version or click the <u>web link</u> to view the article online in your browser.

1 – EPA Says Substance In Deep Fork River Isn't Oil, New OK, 9/18/2014

http://www.news9.com/story/26569193/epa-says-substance-in-deep-fork-river-isnt-oil

According to Okmulgee County Emergency Management, the Oklahoma Department of Environmental Quality says there were no oil constituents identified in samples collected from the Deep Fork River on Sept. 15. A strange substance was reported to authorities last week by a tipster. Officials on Sunday had kayaks out and were placing booms in the water to keep the product from seeping into Eufaula Lake.

2 - National Environmental Conference at Tar Creek, Miami News, 9/16/14

http://www.miamiok.com/article 912966e0-b3d0-5778-804e-c12e447768d5.html

This year's 16th National Environmental Conference at Tar Creek will be Tuesday September 23rd and Wednesday 24th and will cover environmental topics literally ranging from Tar Creek to BF Goodrich! The conference will be held at the First Christian Church in Miami and will start at 9 a.m. and formally end at 5 p.m.; however, there will plenty to do after formalities of the conference days.

3 - The deadliest environmental problem today is indoor air pollution — killing 4 million a year, VOX, 9/17/2014 http://www.vox.com/2014/9/15/6150713/the-deadliest-environmental-problem-today-is-indoor-air-pollution Indoor air pollution still gets fairly little attention for such a spectacularly lethal public-health problem. Here's the basic version: About 3 billion people around the world — mostly in Africa and Asia, and mostly very poor — still cook and heat their homes by burning coal, charcoal, dung, wood, or plant residue in their homes. These homes often have poor ventilation, and the smoke can cause all sorts of respiratory diseases.

4 – Former Houma shipyard now on Superfund cleanup list, Houma Courier, 9/18/2014

http://www.houmatoday.com/article/20140918/ARTICLES/140919570/?p=2&tc=pg

The site that once housed Terrebonne's largest employer was added to the Environmental Protection Agency's Superfund National Priorities List this week. The EPA announced its intent to add the old Delta Shipyard site to the list earlier this summer.

5 - Environmental groups crank up heat on methane mandates, Fuel Fix, 9/18/2014

http://fuelfix.com/blog/2014/09/18/environmental-groups-crank-up-heat-on-methane-mandates/

Environmental groups on Thursday pressured the Obama administration to clamp down on methane leaking from the oil and gas sector by imposing new regulations targeting wells, valves and other infrastructure. Those mandates are urgently needed to keep that potent heat-trapping gas out of the atmosphere and are an "essential" ingredient in any plan to combat climate change, said the coalition of 16 environmental organizations in a letter to President Barack Obama.

6 - APNewsBreak: Chevron meets shale drilling rules, Abq Journal, 9/18/14

http://www.abgjournal.com/464271/biz/apnewsbreak-chevron-meets-shale-drilling-rules.html

Chevron has become the first energy company to meet a new set of voluntary shale gas drilling standards that aim to go beyond existing state laws in Pennsylvania, Ohio and West Virginia, the Pittsburgh-based Center for Sustainable Shale announced Thursday. The center is a partnership between major energy companies, environmental groups and charitable foundations. Its certification process consisted of an independent review of Chevron documents and 22 of its production sites in the three states.

7 – One hospitalized in Port Neches chemical leak, Beaumont Enterprise, 9/17/2014

http://www.beaumontenterprise.com/news/article/One-hospitalized-in-Port-Neches-chemical-leak-5765410.php
A chemical leak at the Port Neches Huntman facility resulted in the hospitalization of one employee Thursday morning. The leak occurred at about 11:30 a.m. in the shipping and receiving area of the Huntsman plant at 2701 Spur 136, according to Huntsman spokewoman Anne Knisely.

8 – Range Resources agrees to record fine for Pa. frack pond violations, EE News, 9/18/14 http://www.eenews.net/energywire/2014/09/19/stories/1060006122

Range Resources Corp., the company that pioneered drilling in the Marcellus Shale natural gas field, agreed to pay \$4.15 million to settle a series of environmental violations at its water-handling operations in southwest Pennsylvania, according to state regulators. The settlement is the biggest ever reached with a shale driller, according to the state Department of Environmental Protection.

9 - Group compares Texas to Egypt in carbon emissions debate, EE News, 9/19/2014

http://www.eenews.net/energywire/2014/09/19/stories/1060006141

A Texas research center yesterday compared the state's power plant emissions to pollution in Egypt in a new report that aims to show a need to implement and bolster a U.S. EPA plan to reduce carbon dioxide levels. The release came days ahead of the planned People's Climate March in New York, set for Sunday, and a U.N. climate gathering next week.

10 - EPA Plans Guides To Ease Hurdles On ESPS Rate Conversions, Efficiency, State Impact, 9/17/2014

http://cleanenergyreport.com/201409182481887/Clean-Energy-Report-Daily-News/News/epa-plans-guides-to-ease-hurdles-on-esps-rate-conversions-efficiency/menu-id-202.html?s=dn

A top air office official is pledging to take steps to ease states' compliance with EPA's greenhouse gas (GHG) standards for existing power plants, with the agency slated to release guidance on how to translate its rate-based GHG targets to mass-based measures, as well as a policy for verifying reductions from energy efficiency programs.

11 – Environmental justice works — and these folks show us how, Grist.org, 9/18/2014

http://grist.org/cities/environmental-justice-works-and-these-folks-show-us-how/

I've been asked a lot lately about how environmental justice works in practical measures. Making the case for considering race and civil rights in environmental policy, or when planning for climate adaptation, sounds good in theory, but how does that actually play out on the ground?

12 – 17 state utility commissioners say EPA plan would be bad for reliability, Inside EPA, 9/18/2014 http://www.eenews.net/eenewspm/2014/09/18/stories/1060006101

U.S. EPA should reconsider its proposal for existing power plants in order to keep a reliable supply of inexpensive power flowing to consumers, a group of 17 current and future utility commissioners said today. In a letter organized by the National Mining Association's Count on Coal campaign, the officials called EPA's June 2 proposal an assault on reliable and affordable power.

13 - Oklahoma City marchers will call for greater action to combat climate change, Oklahoman, 9/18/14

http://newsok.com/oklahoma-city-marchers-will-call-for-greater-action-to-combat-climate-change/article/5343001

A group of environmental activists, clergy and others plans a demonstration Sunday in Oklahoma City to call for greater action to combat climate change. Nathaniel Batchelder, one of the organizers, said the march will emphasize three points: climate change is real, it's predominantly caused by human activity, and all humanity must participate in solutions.

14 - Sounding Off: Best Southwest, Oak Cliff and Grand Prairie readers tell us what should be done about Great Trinity Forest wetland destruction, Dallas Morning News, 9/18/14

http://www.dallasnews.com/news/community-news/best-southwest/headlines/20140918-sounding-off-best-southwest-oak-cliff-and-grand-prairie-readers-tell-us-what-should-be-done-about-great-trinity-forest-wetland-destruction.ece

What should be done about the destruction of wetlands in the Great Trinity Forest? Stan Aten, Oak Cliff: To protect the environment of the Trinity River and Trinity River Forest requires a change in attitude in how our city views the river. In the past, the Trinity River was a dumping ground for excess water, trash and other unwanted elements of our city.

15 - Agency can look at rig owner's role in oil spill, NOLA.com, 9/18/14

http://www.nola.com/news/gulf-oil-spill/index.ssf/2014/09/agency can look at rig owners.html#incart river A federal appeals court in New Orleans has upheld a federal safety board's right to investigate the role of Transocean Deepwater Drilling Corp. in the 2010 Gulf of Mexico oil disaster. Transocean owned the Deepwater Horizon rig that was drilling for BP PLC at its Macondo well, about 50 miles off the Louisiana coast when an explosion killed 11 workers and led to the nation's worst offshore oil spill.

16- Opponents of lawsuit against oil and gas companies lose a round, New Orleans Advocate, 9/19/14 http://www.theneworleansadvocate.com/news/10306829-171/setback-in-effort-to-kill

Supporters of a controversial lawsuit seeking to force oil and gas companies to repair alleged widespread damage to Louisiana's coast got some breathing room Thursday when a nominating committee narrowly recommended that a coastal scientist who supports the suit should retain his seat on the board.

17- Despite Some Rain, Drought Still Grips Texas Towns, State Impact, 9/18/14

http://stateimpact.npr.org/texas/2014/09/18/despite-rains-drought-still-grips-texas-towns/

Summer brought no relief from drought in many parts of Northwest Texas. But storms related to Hurricane Odile could bring some much needed rain. The region, like much of Texas, has been struggling with drought for years. Now some communities there are now faced with a difficult task: find new water, or go dry.

18- Texas proposes rewriting school text books to deny manmade climate change Guardian, 9/16/14

http://www.theguardian.com/environment/2014/sep/16/texas-proposes-rewriting-school-text-books-to-deny-manmade-climate-change

Texas has proposed re-writing school text books to incorporate passages denying the existence of climate change and promoting the discredited views of an ultra-conservative think tank. The proposed text books – which come up for public hearing at the Texas state board of education on Tuesday – were already attracting criticism when it emerged that the science section had been altered to reflect the doctrine of the Heartland Institute, which has been funded by the Koch oil billionaires.

19- Chevron meets shale drilling standards, Tulsa World, 9/19/14

http://www.tulsaworld.com/business/energy/chevron-meets-shale-drilling-standards/article_a97022ed-cccf-5694-9dc4-dafb7ca74ada.html

Chevron has become the first energy company to meet a new set of voluntary shale gas drilling standards that aim to go beyond existing state laws in Pennsylvania, Ohio and West Virginia, the Pittsburgh-based Center for Sustainable Shale announced Thursday.

















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EPA Says Substance In Deep Fork River Isn't Oil

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A strange substance was reported to authorities last week by a tipster. Officials on Sunday had kayaks out and were placing booms in the water to keep the product from seeping into Eufaula Lake.

On Thursday, the EPA said that nothing appears to be harmful in a sample collected. The EPA added that it appears it was an algae bloom. The agency recommended that access to the river for fisherman will be OK, according to Okmulgee Emergency Management.

Okmulgee County said it was assisted by many people who provided information they provided and many agencies that assisted with the incident.

9/15/2014 Related Story: EPA Trying To Identify Substance In Deep Fork River

From The Web



Forget the iPhone 6. Next hit Apple product leaked. (see picture) The Motley Fool



87 Year Old Personal Trainer Shares Her Secret To Losing Weight Athletic Greens



Top 12 Hard To Watch Movies

National Environmental Conference at Tar Creek

Posted: Tuesday, September 16, 2014 12:15 pm

National Environmental Conference at Tar Creek

This year's 16th National Environmental Conference at Tar Creek will be Tuesday September 23rd and Wednesday 24th and will cover environmental topics literally ranging from Tar Creek to BF Goodrich! The conference will be held at the First Christian Church in Miami and will start at 9 a.m. and formally end at 5 p.m.; however, there will plenty to do after formalities of the conference days. There will dinners, movies, pie auctions and traditional Native American dancers to mention a few of the evening activities. On Monday the 22nd, the LEAD Agency will host a Pre-event starting at 4 p.m.. This event will feature The People's Climate March, which will begin at the Centennial Rotary Park and walk to the amphitheatre behind the new dorms at NEO campus. Choose to join a Fun-Walk in the park or to take what we are calling the Science Walk with Dr. Mark Grigsby to learn about the NEO and Peoria Tribe's passive treatment system. Also at 4 p.m. starting at the Park will be the "Recycle Tar Creek Bike Ride" which is a 3.5 mile ride crossing the Tar Creek bridges and returning in time to join in the March and the music. In the amphitheater the band "Bad Knees" will be set up and playing for the Tar Creek Fish Tournament. The Tournament will feature environmental speakers from the march, fly-fishing, casting and spearfishing demonstrations (someday Tar Creek will have fish again!). For information about any of these events or to register early, call (918) 542-9399.

Stop Motion Videos at the Library

The Miami Public Library's Children and Teen Department began offering programs on how to create short, stop motion videos in June during the Summer Reading Program. Creating these videos has been so popular with local tweens and teens that the library has continued to offer the program once or twice a month. In the program, the kids get to create their own story and then portray it in a series of photographs which, once sped up, create the stop motion movie. Music is also added. The kids have the chance to learn to edit their movie as well, once they can quickly take the photographs. To see an example of what they have done, go to the library website at www.miamipl.okpls.org and click on the Stop Motion Video link. Fall programs are scheduled for Thursday, September 18th and Wednesday, October 8th from 3:30 p.m. to 5 p.m.. The programs are free and open to anyone ages 9-18 with an interest in using technology to be creative. Call the Miami Public Library at (918) 541-2292 for more information or to register for these programs.

Paddle Party And Silent Auction

Thursday, September 18th, the Miami Senior Center, 2104 Denver Harnar Drive, is hosting a paddle party and silent auction. Never been to a paddle party? Well, you don't know what you are missing! It's simple, you buy a paddle, first paddle is \$5, each additional paddle is \$2. You use the paddles to bid on

items; each bid is a quarter for each paddle that you are bidding with. Light refreshment available as part of the fundraiser as well. All money raised benefit the Miami Senior Center. Doors open at 6:30 p.m. and everyone is welcome.

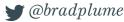
Movie In The Park

Commerce Police Department will be holding another 'Movie in the Park' night September 20th. Cast your vote for the movie you want to see on the Commerce Police Department's Facebook page. Bring your lawn chairs, blankets, and enjoy a night of family fun.



The deadliest environmental problem today is indoor air pollution - killing 4 million a year

Updated by Brad Plumer on September 15, 2014, 12:40 p.m. ET



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Air pollution from indoor cook fires are becoming a leading cause of death worldwide. Engineering for Change/Flickr

Indoor air pollution still gets fairly little attention for such a spectacularly lethal public-health problem.

INDOOR AIR POLLUTION NOW KILLS 4 MILLION PEOPLE A YEAR — MORE THAN AIDS AND MALARIA **COMBINED**

Here's the basic version: About 3 billion people around the world — mostly in

Africa and Asia, and mostly very poor — still cook and heat their homes by burning coal, charcoal, dung, wood, or plant residue in their homes. These homes often have poor ventilation, and the smoke can cause all sorts of respiratory diseases.

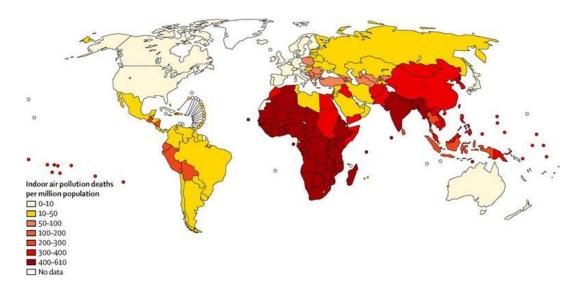
All told, indoor air pollution kills between 3.5 million and 4.3 million people each year. To put that in perspective, that's more deaths than are caused by HIV/AIDS (around **1.6 million** (

http://www.who.int/gho/hiv/epidemic_status/deaths_text/en/)
per year) and malaria (around 627,000 (

<u>http://www.who.int/features/factfiles/malaria/en/)</u>) — combined.

This month, The Lancet Respiratory Medicine published a big new report (
http://www.thelancet.com/journals/lanres/article/PIIS22132600(14)70168-7/fulltext) taking a detailed look at indoor air pollution —
with a map showing where the deaths occur. India and sub-Saharan Africa are
most heavily affected, but it's a problem almost everywhere outside of the
wealthiest countries:

Indoor air pollution deaths (per million people)



There are a couple of key points in the *Lancet* study:

1) Indoor air pollution has a wide variety of causes. In China, tens of millions of rural households still burn coal directly inside their homes to cook. But in India and Africa, wood and charcoal are far more common. And in countries like Kenya or Ethiopia where wood is scarce, animal dung is used. Different fuels lead to different health problems.

WOMEN AND CHILDREN IN EXTREME POVERTY ARE MOST LIKELY TO BE AFFECTED

Lighting is another big source of indoor air pollution — particularly the use of unvented kerosene lamps. The study notes that the growing use of LED lighting is helping here, but "it remains a major problem."

There are also different reasons for poor ventilation in homes. "In extreme climates (eg, Nepal, north India), ventilation is deliberately minimised to conserve energy, resulting in extremely toxic amounts of [indoor air pollution for much of the year]," the paper notes. "Urban poor people in Africa often bring a simple cooking stove indoors to keep their sleeping area warm at night."

2) Women and children in extreme poverty are most affected. The paper notes that poor people are most likely to be affected, as they typically lack access to electricity and have to resort to cheaper fuels that produce more indoor smoke. What's more, the cheapest homes, made of mud or thatch, rarely have chimneys.

In many countries, women still do most of the cooking, so they're most exposed — and young children and infants are often nearby. That's especially troubling since indoor air pollution does a lot of damage to young kids.

3) Indoor air pollution kills between 3.5 million and 4.3 million people a year. A 2012 Global Burden of Disease study found that household air pollution killed 3.5 million people a year — making it the deadliest environmental problem.

	Deaths in 2010 (95% CI)			
Household air pollution*	3-55 million (2-68 million to 3-62 million)			
Ambient pollution	3-22 million (2-82 million to 3-62 million)			
Occupational risk factors†	0-85 million (0-66 million to 1-06 million)			
Lead exposure	0-67 million (0-58 million to 0-78 million)			
Second-hand smoke	0-60 million (0-45 million to 0-52 million)			
Unimproved sanitation	0-24 million (0-01 million to 0-48 million)			
Unimproved water source	0-12 million (0-01 million to 0-23 million)			
Residential radon	0-10 million (0-01 million to 0-22 million)			

A follow-up study by the World Health Organization in 2014 <u>upped that</u> <u>estimate to 4.3 million deaths (</u>

http://www.vox.com/2014/3/26/5550434/air-pollution-now-kills-7-million-people-each-year), mainly by including cardiovascular deaths associated with exposure to air pollution.

(Also note that *outdoor* air pollution from coal plants, vehicles, and other sources is linked to about 3 million deaths per year — not quite as deadly, but still quite deadly.)

The *Lancet* study spends a lot of time exploring the various respiratory diseases linked to indoor air-pollution exposure. Lung cancer, for instance, is strongly associated with indoor coal-burning. Other chronic lung diseases are associated with indoor wood-burning. Meanwhile, the effects of smoke exposure on young children are still being explored.

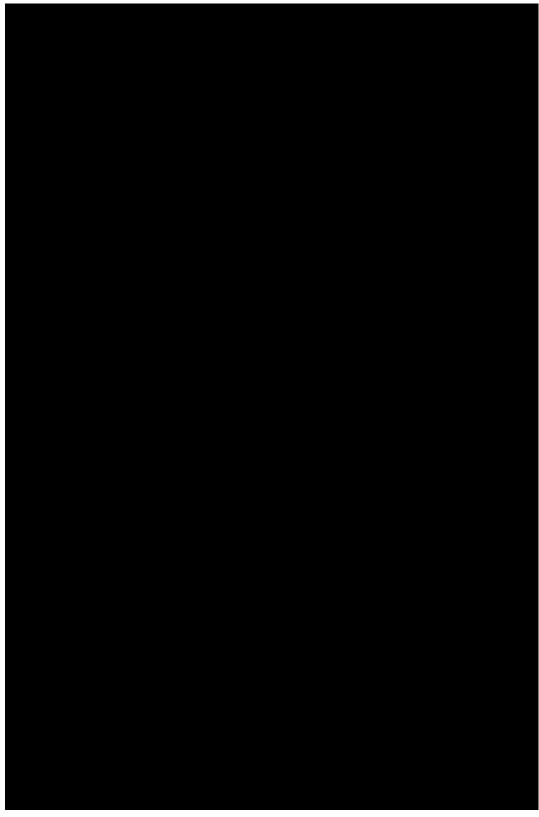
4) All that soot is also a contributor to climate change: This isn't mentioned in the *Lancet* paper, but there's a climate angle here, too. Previous studies **have found (http://www-**

wds.worldbank.org/external/default/WDSContentServer/WDSP/IB/201

that soot particles from these cookstoves can settle on nearby glaciers, absorbing sunlight and melting the ice — particularly in combination with global warming. The loss of glaciers can, in turn, put pressure on local water supplies.

As a result, many green groups **have turned their attention (http://www.pciaonline.org/sierra-club)** to tamping down on household air pollution as a way to boost public health *and* slow the pace of climate change at once.

So what's the best way to reduce indoor air pollution?



Cookstove types used around the world (A) Three-stone, minimally tended, wood fuel. (B) Berkeley-Darfur, wood fuel. (C) Envirofit G-3300, wood fuel. (D) Onil, wood fuel. (E) Philips HD4008, wood fuel. (F) Philips HD4012, wood fuel. (G) Sampada, wood fuel. (H) StoveTec GreenFire, wood fuel. (I) Upesi Portable, wood fuel. (J) GERES, charcoal fuel. (K) Gyapa, charcoal fuel. (L) Jiko, ceramic, charcoal fuel. (M) Jiko, metal, charcoal fuel. (N) KCJ Standard, charcoal fuel. (O) Kenya Uhai, charcoal fuel. (P) StoveTec prototype, charcoal fuel. (Q) Belonio Rice Husk Gasifier, rice hull fuel. (R) Mayon Turbo, rice hull fuel. (S) Oorja, biomass pellet fuel. (T) StoveTec TLUD prototype, wood pellet fuel. (U) Jinqilin CKQ-80I, corn cob fuel. (V) Protos, plant oil fuel. Photo is courtesy of James Jetter, US Environmental Protection Agency, NC, USA. (Gordon et al.

<u>2014 (http://www.thelancet.com/journals/lanres/article/PIIS2213-2600(14)70168-7/fulltext#tbl1)</u>)

Over the last decade, public-health researchers have been exploring more and more ways to help minimize the effects of indoor air pollution. And it turns out to be surprisingly difficult.

OUTSIDE EFFORTS TO PERSUADE HOUSEHOLDS TO ADOPT CLEANER TECHNOLOGIES OFTEN FAIL

There are plenty of proven technologies out there — including cleaner-burning cookstoves with better ventilation that use wood or crop pellets. But efforts by aid groups to persuade communities to adopt these technologies have often failed.

For example, one 2012 study (

http://www.washingtonpost.com/blogs/wonkblog/post/what-cook-stoves-tell-us-about-the-limits-of-

technology/2012/05/08/glQApp8YAU_blog.html) looked at what happened when randomly selected households in Orissa, India, were given cleaner-burning cookstoves with chimneys. After a year, smoke inhalation had dropped compared to control groups. But after *four* years, there was no meaningful improvement in public health. Why? Because the households stopped using the stoves after awhile — they required too many repairs and the chimneys needed constant sweeping.

Of course, that doesn't mean it's all hopeless. A <u>separate 2011 study (http://www.thelancet.com/journals/lancet/article/PIIS0140-6736(11)60921-5/abstract)</u> gave randomly selected households in Guatemala a woodstove with chimney ventilation. That, they found, *did* seem to reduce cases of childhood pneumonia. The *Lancet* paper notes that similar randomized control trials for other technologies are ongoing around the world.

The *Lancet* study also notes some other promising technologies in the future. Some groups have held out hope for <u>clean solar-powered cookstoves</u> (http://www.cleancookstoves.org/our-work/the-solutions/cookstove-technology.html), although the paper notes that these stoves don't offer nearly as precise control for cooking, and they're not wanted if they can't be used at night. Indeed, the authors note that people are

unlikely to adopt a new technology just because it's healthier — it has to be

more convenient too.

And, ultimately, this is another reason why energy access is such a crucial issue. People in the United States (or even the wealthier parts of China) don't need to worry about indoor air pollution because we heat our homes and cook with electricity and gas. But there are still 1.2 billion people (there are still 1.2 billion people (there are still 1.2 billion people (there are still 1.2 billion people (there are still 1.2 billion people (there are still 1.2 billion people (there are still 1.2 billion people (there are still 1.2 billion people (there are still 1.2 billion people (there are still 1.2 billion people (there are still 1.2 billion people (there are still 1.2 billion people (there are still 1.2 billion people (there are still 1.2 billion people (there are still 1.2 billion people (there are still 1.2 billion people (there are still 1.2 billion people (there are still 1.2 billion people (<a href="mailto:there are still 1.2 billion pe

Further reading:

Here's why 1.2 billion people <u>still lack access to electricity (</u>
http://www.washingtonpost.com/blogs/wonkblog/wp/2013/05/29
http://www.washingtonpost.com/blogs/wonkblog

A longer essay on energy access and whether it comes into conflict with efforts to fight global warming: Can the world fight climate change and energy poverty at the same time? (
http://www.washingtonpost.com/blogs/wonkblog/wp/2013/03/10/car we-tackle-climate-change-and-energy-poverty-at-the-same-time/)

An in-depth World Bank <u>report (http://www-wds.worldbank.org/external/default/WDSContentServer/WDSP/IB</u> on how cutting household air pollution can save lives and slow climate change.

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Former Houma shipyard now on Superfund cleanup list

By Xerxes Wilson

Staff Writer

Published: Thursday, September 18, 2014 at 5:56 p.m.

The site that once housed Terrebonne's largest employer was added to the Environmental Protection Agency's Superfund National Priorities List this week.

The EPA announced its intent to add the old Delta Shipyard site to the list earlier this summer

Superfund is the federal program that investigates and cleans up the most complex, uncontrolled or abandoned hazardous waste sites in the country.

"Finalizing the Delta Shipyard site on the NPL will allow EPA and our partners to begin restoring the land," said EPA Regional Administrator Ron Curry. "Addressing these types of complex cleanups is one of the most important parts of EPA's mission."

In the '70s and early '80s, earthen pits on the 165-acre site, off Industrial Boulevard in Houma, were used to store oily waste and oilfield drilling mud. They may contain some 30,000 cubic yards of hazardous material but do not represent the extent of the contamination, according to Brenda Cook, who evaluated the site for the EPA.

Concentrations of potentially dangerous contaminants, such as benzene, barium, arsenic, lead and chromium, were also detected in a ditch that runs alongside the pits. That ditch drains into the canal where investigators found contamination had spread into local wetlands.

The pits were a component of the yard's gas-freeing process. Before any work was done on a vessel, a marine chemist had to certify it was free of explosive vapors. So the barges and boats went through a washing process. Any residual oil was separated and sold, and the remaining oily waste dumped into a series of open pits.

Aeration pits are one of the nastier legacies of the local oil patch. Ending the practice of open water discharges, oilfield drillers and other waste producers were required to discharge waste into earthen pits which often leaked or were insufficiently cleaned. By the time this practice was mostly stopped in the early '90s, thousands of pits pocked both the wetlands and some residential areas in Terrebonne and Lafourche.

With the site now added to the list, the EPA will conduct a further study to determine the complete extent of the contamination and characterize where the waste has gone in order to build a cleanup plan, Cook said in July.

"Sometimes we evacuate and remove the waste on site and sometimes we stabilize it," Cook said. "It is premature to say what it will be here, but there are myriad different ways to deal with pits."

At the same time, investigators will seek to find a responsible party that would pay for the cleanup. It's unclear how that will go as Delta Service Industries, the shipyard's parent company, went bankrupt during the '80s oilfield bust. It's former owner, Lynn Dean, died in 2006.

"We typically go after those who are responsible for the pollution, but it may include past owners and operators and current owners and operators," Cook said.

EPA officials have stressed that the process isn't something that happens overnight.

"It's even premature to guess at this point," Cook said. "Three to five years is not uncommon to get to the point were we have a remedy."

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Hydraulic fracturing, a drilling technique in which water, sand

and chemicals are blasted underground to force out natural gas

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Environmental groups crank up heat on methane mandates

Posted on September 18, 2014 at 9:50 pm by Jennifer A. Dlouhy in Environment, Politics/Policy



WASHINGTON _ Environmental groups on Thursday pressured the Obama administration to clamp down on methane leaking from the oil and gas sector by imposing new regulations targeting wells, valves and other infrastructure.

Those mandates are urgently needed to keep that potent heat-trapping gas out of the atmosphere and are an "essential" ingredient in any plan to combat climate change, said the coalition of 16 environmental organizations in a letter to President Barack Obama. And they called on the Environmental Protection Agency to use its Clean Air Act authority to issue methane pollution standards for all new and existing oil and gas sources of the material.

"The environmental community is united in their view that the oil and gas industry must reduce their methane emissions and that federal regulation is essential to making this happen," said Mark Brownstein, associate vice



president of the Environmental Defense Fund's U.S. Climate and Energy Program, in a conference call with reporters. "This industry is simply too big, too diverse and focused solely on profits and quarterly earnings to think that regulation

The Obama administration is already working on several fronts to rein in methane, which is believed to be 28 to 34 times more potent than carbon dioxide when measured over a century. But so far, it has not formally decided to impose new regulations targeting the substance.

Read more: White House strategy to cut methane emissions takes aim at oil industry

Instead, the EPA is set to make a decision on its next steps for tackling methane this fall _ possibly as late as Dec. 21 _ after weighing the feedback to five technical white papers examining potential emissions from activities and equipment along the oil and natural gas value chain. Possible regulatory targets include compressors that pressurize natural gas so it can flow through pipelines and pneumatic devices that are ubiquitous in the oil and natural gas industry.

Industry analysts also believe the agency is likely to expand relatively new requirements — which currently are limited to new natural gas wells — for so-called "green completions" that use special equipment to to collect the gush of methane that can fly out of a well when it is hydraulically fractured in preparation for production.

Officials: More work needed to stop flaring gas

According to the Obama administration, any resulting EPA regulations on methane would be in place by the end of

Speaking to investors in New York earlier this month, EPA Administrator Gina McCarthy said regulations aren't a given. And she stressed the agency was considering voluntary initiatives, including perhaps its proposed Gas STAR Gold program that would recognize companies that have made progress paring emissions.

The Interior Department's Bureau of Land Management is working on a separate track evaluating how to deal with venting and flaring of natural gas from wells on federal lands. Natural gas may be vented or burned off as a lessvaluable waste product from oil wells, especially in areas without enough pipelines to get it to market.

Snuffing out flaring: Statoil and partners expand effort to put flared natural gas to use

The BLM's goal is not environmental stewardship but fiscal prudence; it is focused on ensuring the government collects royalties it is owed for gas that is burned, vented or otherwise lost. Still, the end result could be similar; rules that dissuade venting and flaring and effectively cut methane emissions in the oilfield.

"Proven, low-cost technologies are available today that could eliminate as much as half of the emissions from this industry," said Conrad Schneider, advocacy director for the Clean Air Task Force. "It's not rocket science."

Better leak detection at wells and compressor sites, stepped-up equipment maintenance and other strategies are "truly low-hanging fruit" that could pay back in a year or two, Schneider told reporters

Plugging methane leaks from the wellhead to the burner tip becomes increasingly important as power utilities shift from coal to cleaner-burning natural gas, noted David Doniger, director of the Natural Resources Defense Council's Climate and Clean Air Program. Methane emissions risk undermining the climate benefits of that transition.

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Industry officials say additional regulations are not needed, especially amid potentially overlapping EPA limits on ozone

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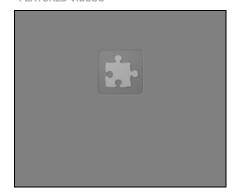
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in the atmosphere.

They point to existing, voluntary steps to pare the problem, and note that methane is already dropping. According to EPA data, methane now represents about 9 percent of human-related greenhouse gas emissions in the United States, and it has dropped 11 percent since 1990.

Industry leaders also point to comments from the Intergovernmental Panel on Climate Change documenting a reduction in greenhouse gas emissions when shifting from coal-fired power plants to modern natural gas combined-cycle facilities — even when fugitive methane emissions are considered.

"Based on data from the EPA and the IPCC, new rules on methane emissions could end up being a solution in search of a problem," said Steve Everley, a spokesman for the industry group Energy In Depth.

Here is a copy of the letter:

September 18, 2014

President Barack Obama The White House 1600 Pennsylvania Avenue, NW Washington, DC 20500

Dear President Obama:

Your March 2014 Strategy to Reduce Methane Emissions announced that the Environmental Protection Agency will decide by this fall how best to reduce pollution from the oil and gas sector. The Strategy built on the commitment in your 2012 State of the Union Address that development of oil and gas resources must not put Americans' health and safety at risk.

The oil and natural gas industry is rapidly expanding without important public health and environmental protections, and

urgent action is needed. One of the many critical measures needed to protect the health and safety of our citizens from the deleterious effects of oil and gas development is to reduce methane pollution from this industry.

We therefore respectfully call on you to swiftly issue national standards directly aimed at cutting emissions of harmful, climate-disrupting methane pollution from oil and gas operations. The EPA has clear authority under the Clean Air Act to develop smart and reasonable methane standards for the oil and gas industry that will help protect the health and welfare of all Americans. So, too, does the Department of the Interior, which is still relying on 30-year old policies that allow for uncontrolled waste of natural gas and methane emissions on our nation's treasured public lands.

The oil and natural gas sector is the largest industrial source of methane, which is a potent climate pollutant more than 80 times as powerful as carbon dioxide on a 20 year timeframe. Oil and gas sources also emit other dangerous pollutants that harm Americans' health, including smog-forming volatile organic compounds (VOCs) and cancercausing pollutants like benzene.

Proven, low-cost technologies are already commercially available to cut methane emissions from the onshore oil and gas sector up to 50% in the next 5 years. This would have the same climate benefits over a 100-year timeframe as cutting about 140 million tons per year of carbon dioxide. Because methane is very potent in the near-term, the impact on reduced warming over a 20-year timeframe after emissions reductions would be equivalent to cutting 340 million tons per year of carbon dioxide. The actual methane reductions may be twice as high, as there is increasing evidence that emissions from oil and gas operations are much higher than what's reported in official government inventories.

Reductions of this magnitude are achievable only by issuing methane pollution standards governing new and existing oil and gas sources. Relying on co-benefits that result from regulating VOCs would achieve only about one-tenth of these methane reductions. Methane standards would also contribute substantially to meeting your target of reducing the nation's heat-trapping gases by 17 percent by 2020, with even greater reductions post-2020. Finally, methane standards will deliver significant public health benefits, by simultaneously cutting smog-forming and toxic air pollutants that blanket communities downwind of oil and gas development across the country.

Many of the available technologies capture gas that would otherwise be wasted, resulting in cost savings for producers. Some companies recognize this benefit and have adopted methane pollution reduction measures. A recent report from EPA's Office of Inspector General, however, underscores that voluntary measures cannot be relied on to provide our nation's communities and families with adequate protection from this dangerous air pollution. And, while some states like Colorado have taken action to reduce methane emissions from the oil and natural gas sector, no national standards are in place to protect communities across the country.

We applaud the climate commitments you have made to date. We urge you and your administration to build on this legacy by announcing enforceable national methane emissions standards for new and existing oil and gas sources this fall. The oil and gas industry needs to be held to the same federal environmental standards as other major industries while we work as a nation to swiftly transition to a clean energy economy. This is essential to protect communities across the country and reduce the pollution that is disrupting our climate, and threatening public health, wildlife, and the natural resources upon which we all depend.

Thank you for your continued leadership on this important issue.

Sincerely,

Armond Cohen, Executive Director Clean Air Task Force

Robert Wendelgass, President & CEO Clean Water Action

Jamie Rappaport Clark, President & CEO Defenders of Wildlife

Trip Van Noppen, President Earthjustice

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APNewsBreak: Chevron meets shale drilling rules

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By Kevin Begos / Associated Press

PUBLISHED: Thursday, September 18, 2014 at 8:44 am



PITTSBURGH — Chevron has become the first energy company to meet a new set of voluntary shale gas drilling standards that aim to go beyond existing state laws in Pennsylvania, Ohio and West Virginia, the Pittsburgh-based Center for Sustainable Shale announced Thursday.

The center is a partnership between major energy companies, environmental groups and charitable foundations. Its certification process consisted of an independent review of Chevron documents and 22 of its production sites in the three states.

The program is meant to work much like Underwriters Laboratories, which puts its familiar UL seal on electrical appliances. The review was conducted by Bureau Veritas, an international testing company that also handles the LEED review process for the U.S. Green Building Council.

Nigel Hearne, president of Chevron's Appalachia operations, said that the 15 Sustainable Shale standards "will produce meaningful results" in reducing pollution and freshwater use, and that he hopes other energy companies join in the process. Chevron Corp. is based in San Ramon, California.

The Sierra Club and other some environmental groups have harshly criticized the Sustainable Shale program, saying voluntary efforts are no substitute for tougher state and federal regulations. But one environmental group that worked on the project welcomed Chevron's announcement.

Chevron's pledges to recycle drilling fluids, not use open waste pits and to reduce methane leaks address "very big" concerns for many people, said Davitt Woodwell, president of the Pennsylvania Environmental Council. Chevron also says it now discloses all of the chemicals used in the hydraulic fracturing, or fracking, process in the region. Woodwell said his group hopes other drilling companies take similar actions.

The fracking process uses millions of gallons of high-pressure water mixed with sand and chemicals to break apart rock rich in oil and gas. That has led to a boom in production from the Appalachian Marcellus Shale formation and in other states, but also concerns about water and air pollution.

When the Sustainable Shale project was announced in early 2012, some energy companies said they realized they needed to do more to reassure the public about the safety of fracking. Some environmentalists said they joined the Sustainable Shale project after coming to the conclusion that hundreds of billions of dollars in oil and gas is going to be extracted one way or another and that working with the industry is the quickest path to making the process safer.

In addition to Chevron, other Sustainable Shale participants are Shell, EQT Corp., Consol Energy, the Environmental Defense Fund, and the Clean Air Task Force. Paul O'Neill, former treasury secretary, and Christine Todd Whitman, a former New Jersey governor and Environmental Protection Agency

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One hospitalized in Port Neches chemical leak

Michelle Heath, Beaumont Enterprise
Published 6:21 pm, Thursday, September 18, 2014

Dental Implant Warning

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A chemical leak at the Port Neches Huntman facility resulted in the hospitalization of one employee Thursday morning.

The leak occurred at about 11:30 a.m. in the shipping and receiving area of the Huntsman plant at 2701 Spur 136, according to Huntsman spokewoman Anne Knisely.

The Port Neches Fire Department responded to the scene, but an on-site crew was able to contain the leak in approximately one hour, Knisely said.

The employee was treated at the plant and taken to the hospital by ambulance as a precaution.

His injuries are not life threatening.

Huntsman notified all necessary agencies of the leak including the Texas Commision on Environment Quality, Environmental Protection Agency and the Occupational Safety and Health Administration.

There was no off-site impact and the community was never in any danger, Knisely said.

Huntsman has begun an investigation to find out what caused the leak.



3. MARCELLUS SHALE:

Range Resources agrees to record fine for Pa. frack pond violations

Mike Lee, E&E reporter
Published: Friday, September 19, 2014

Range Resources Corp., the company that pioneered drilling in the Marcellus Shale natural gas field, agreed to pay \$4.15 million to settle a series of environmental violations at its water-handling operations in southwest Pennsylvania, according to state regulators.

The <u>settlement</u> is the biggest ever reached with a shale driller, according to the state Department of Environmental Protection. It covers leaks, spills and other violations at eight water impoundments in Washington County, which is southwest of Pittsburgh.

Range, based in Fort Worth, Texas, will close five of the impoundments and make improvements at two others. One impoundment will be converted to hold only fresh water.

The announcement comes as the Pennsylvania DEP considers new rules on water-holding facilities. Some of the improvements that Range has agreed to, such as tougher liners and better leak detection, may be required when the rules are finalized, John Poister, a spokesman for the DEP, said in an interview.

"We've definitely been aware of the limitations of, particularly, the older impoundments that came at the very beginning of the gas drilling era here." he said.

Range said in an emailed statement that it was already closing most of the impoundments. The contamination reached nearby groundwater but hasn't affected any drinking water, the DEP and Range said. None of the contamination levels poses a health risk, Range spokes man Matt Pitzarella wrote.

Separately, Range said it will change its procedures for withdrawing fresh water from rivers and other water bodies after discovering it "likely exceeded" its permitted limits.

Environmental groups including PennFuture have pushed the DEP to adopt stricter rules on water handling, including requiring drilling companies to use enclosed tanks to hold waste fluids.

The DEP should investigate other impoundments in the state and should also require them to have leak-detection systems similar to solid-waste landfills, George Jugovic, chief counsel for PennFuture, said in an interview. The DEP should have waited until it knew the full extent of the contamination before it agreed on the size of the fine, he said.

"It's unclear to me how the department could assess what a proper fine is, when they don't know the extent of the groundwater contamination," he said.

"Hopefully, the agency takes a hard look and investigates what occurred here and takes that into account in adopting their final regulations."

Range drilled the first modern gas well in the Marcellus Shale in 2004, <u>according to</u> the Pennsylvania Geological Survey. With 955,000 acres, it's the second-largest leaseholder in the state, according to the consulting firm IHS Herold.

Range and other drillers use a combination of horizontal drilling and hydraulic fracturing, or fracking, to develop shale formations. A typical fracking operation uses millions of gallons of water mixed with sand and chemicals that are blasted into the formation under high pressure to break open the rock and release the gas trapped inside.

The impoundments are essentially man-made ponds. They're typically built by creating an earthen berm and lining the inside with plastic, Poister said. There are about 25 of the impoundments in southwest Pennsylvania, and some of them hold as much as 15 million gallons -- or more than 20 Olympic-size swimming pools.

Range used the ponds to hold water used for hydraulic fracturing, along with fresh water, partially recycled water and naturally occurring water released along with the gas.

One of the impoundments has had a tear in its liner since at least February 2012, and high levels of chlorides and other contaminants were found in soil samples and test wells at five others.

Range also had a series of spills and leaks at the impoundments dating back to 2009. One of the impoundments had leaked so extensively that Pance had to remove 12 000 tops of contaminated soil. Poister said

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6. ELECTRICITY:

Group compares Texas to Egypt in carbon emissions debate

Edward Klump E&E reporter
Published: Friday, September 19, 2014

A Texas research center yesterday compared the state's power plant emissions to pollution in Egypt in a new report that aims to show a need to implement and bolster a U.S. EPA plan to reduce carbon dioxide levels.

The release came days ahead of the planned People's Climate March in New York, set for Sunday, and a U.N. climate gathering next week. The study also arrived after EPA recently said it's extending the comment period for its Clean Power Plan, which would lower carbon dioxide emissions at existing power plants, to Dec. 1 from mid-October.

The new <u>report</u> from the Environment Texas Research & Policy Center, titled "America's Dirtiest Power Plants," tries to put U.S. greenhouse gas emissions in perspective. The study, which uses 2012 data, demonstrates how large the nation's carbon emissions are compared with those in other areas, according to Luke Metzger, director of Environment Texas.

Texas was listed as the top U.S. emitter of carbon in 2012, with just its power-sector emissions of more than 220 million metric tons roughly equivalent to the carbon emissions from all of Egypt. The report cites an Egyptian population of more than 86 million, while Texas' population has been estimated at more than 26 million.

"Just the power plants pollute as much as an entire country, and a big one," Metzger said of Texas. "And that's a real problem."

The report offers broader highlights, as well. It says the dirtiest plants often are older facilities that run on coal, which the report says produced 74 percent of the U.S. power sector's carbon dioxide emissions in 2012. EPA's plan would reduce the amount of carbon emitted in 2030 by an amount roughly equal to pollution from all of Canada in 2012, the group said.

"In 2012, U.S. power plants produced more carbon pollution than the entire economies of Russia, India, Japan or any other nation besides China," Environment Texas says in the study.

EPA'S Clean Power Plan seeks to reduce carbon dioxide emissions from power plants 30 percent by 2030 compared with 2005 levels. Targets in the plan vary by state.

A number of Texas officials and regulators have criticized the Clean Power Plan's outlook for the power sector and questioned the state's ability to comply with it. The carbon plan includes a goal for Texas of a roughly 39 percent drop compared with 2012 in pounds per megawatt-hour.

In its report, Environment Texas says "the United States must strengthen and implement the Clean Power Plan, while encouraging other nations to agree to take similar bold action" at a conference next year to reduce the threat of global warming. It calls for further U.S. cuts in carbon, such as a 35 to 40 percent drop in emissions from the power sector by 2020 compared with 2005 levels, citing the role of renewables and energy efficiency.

Companies push back

Texas' five biggest-emitting plants produce about 27 percent of power plant emissions in the state, according to the report. That includes two from Energy Future Holdings Corp., two from NRG Energy Inc. and one from Southwestern Electric Power Co., although that company has said a unit at its Welsh plant is set to retire.

Metzger called on state leaders, including Gov. Rick Perry (R), to "stop the obstructionist tactics that they have been pursuing for years now and finally start to work constructively with the federal government to find a good way, a creative plan for Texas to comply with this and really come out ahead."

Power companies, meanwhile, have expressed concerns about EPA's carbon reduction plan.

Last month, Mac McFarland, CEO of Energy Future's Luminant power generation business, told Texas regulators the state is being burdened disproportionately in the proposal. He called the plan unworkable and said it doesn't provide a

balance of the economy, energy supply, reliability and the environment.

Southwestern Electric said in an emailed statement that EPA's carbon proposal would pose "significant reliability and cost risks" for its customers

CUST HORS IN HIS CUSTOHIETS.

NRG, also in an email, said coal-fueled power "is currently essential to maintain" the U.S. standard of living. But the company noted that it's moving ahead with a project to capture carbon from a unit in Texas.

The company, which has substantial investments in renewables, said moderate near-term emissions reductions and more aggressive future targets would let the power sector deploy a range of solutions. An initial reading of the EPA plan for existing plants showed it may adversely affect reliability and consumers in some states, NRG said.

Clean power alternatives

The Clean Power Plan also was front and center yesterday at a meeting of the Gulf Coast Power Association in Houston.

Dean Tuel, an independent consultant to Chamisa Energy, touted the benefits of compressed-air energy storage as a potential way to help meet EPA rules. Chamisa's website describes a process by which compressed air is stored in subsurface spaces and can be released as needed and mixed with some natural gas to fire a turbine to produce electricity.

Tuel told yesterday's audience to expect EPA's carbon dioxide reduction plan to take effect in some form.

"I'm a believer that some variation of this will actually be implemented in the state of Texas," he said.

Metzger pointed to an increase in renewable energy powered by wind and solar in Texas and said he hoped the Environment Texas report would add context to the carbon debate.

"It's a great opportunity to draw attention to this problem, as well as the opportunity that Texas especially has to transition and continue our leadership in clean energy," he said.

Twitter: @edward_klump | Email: eklump@eenews.net

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News

EPA Plans Guides To Ease Hurdles On ESPS Rate Conversions, Efficiency

Posted: September 18, 2014



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A top air office official is pledging to take steps to ease states' compliance with EPA's greenhouse gas (GHG) standards for existing power plants, with the agency slated to release guidance on how to translate its rate-based GHG targets to mass-based measures, as well as a policy for verifying reductions from energy efficiency programs.

In addition, Joe Goffman, EPA's associate assistant administrator for climate and senior counsel for *EPA's* air office, said in Sept. 18 remarks that the agency could rework interim 2020 emissions goals that states must meet under the existing source performance standards (ESPS) but which many states have urged the agency to drop because they require such steep reductions.

"It seems to us that will be something we will have to analyze very, very carefully," Goffman said of the interim targets. The agency will have to revisit the issue "to the point of providing additional analysis that concludes we got it more or less right, or if we can't come to that conclusion, look at ways of changing that feature."

Goffman's remarks during an event at the Georgetown Climate Center in Washington, D.C., did not include specific announcements of new guidance or a different approach to the GHG rule's targets, but they underscore that EPA is actively considering several major requests from states and utilities.

Specifically, Goffman said guidance on how to translate rate-based GHG goals to mass-based targets under the ESPS – a critical step for states considering whether to comply via a cap-and-trade program – is a "widespread request, even demand."

"We are acutely aware of how many stakeholders and states are interested in getting more information," Goffman said. "We haven't reached the point of decision about exactly how we'll respond to that or when."

Asked if EPA is still weighing whether to issue more guidance in the first place, Goffman said, "I don't think so. . . . One scenario I think would be hard to pull off would be remaining completely silent. The question is what's the most effective way to do this, and what's a timely way to do this."

EPA's ESPS sets state-specific emissions targets – measured in pounds of carbon dioxide per megawatt hour -- for each state and gives states wide latitude to determine how to comply. The proposal also allows states to craft multi-state programs to comply and even encourages states to adopt such approaches, for example, by providing states with additional time to develop such plans.

But many states are struggling to consider the cap-and-trade option because of difficulties in translating their rate-based targets into mass-based targets that are easier to implement in a trading program. State regulators, industry representatives and environmentalists have all called on EPA to release further information on how to conduct such rate-to-mass conversions.

Observers also note that the conversion is tricky because slightly different assumptions in the calculation can produce widely divergent targets.

Existing Programs

Northeast and Mid-Atlantic states, as well as California, must convert the rate-based targets EPA has set under the ESPS if they are to use existing trading programs to comply.

Further, a group of Midwest state energy and environment regulators in a Sept. 4 <u>comment letter</u> are seeking the guidance as they investigate "whether multi-state coordination would reduce costs and bring other benefits to their states compared to a single-state approach."

Utility representatives have said more guidance would be helpful in early planning so a state could weigh whether a rate- or mass-based approach is better. Environmentalists have also pushed for a standard calculation method to ensure the integrity of the resulting targets.

Further information from EPA could come in several forms. Some have asked for default, non-binding values showing what the agency believes is an equivalent target, with states allowed to justify other approaches. Another option would be a standard calculation approach or further information about what data a state should consider when making the conversion.

But EPA officials told state regulators on a conference call last month that further guidance could limit state flexibility, arguing, "be careful asking us for specificity on this issue, because we may end up filling in the blanks such that it becomes less flexible for you," according to a state source.

However, a different agency staffer, during a Sept. 17 webinar to clarify questions from environmental groups about the ESPS, said that while EPA "can't commit to any specific actions," it acknowledges "intense interest" in the matter and is "actively considering those issues."

"Hopefully in the future we'll be able to shed additional light on this topic," the staffer said.

In his remarks, Goffman also acknowledged calls from states to provide further information on how states can appropriately verify GHG reductions from end-use efficiency programs, so they can include those programs in state ESPS compliance plans.

In the proposed ESPS, EPA describes existing state-level monitoring and verification efforts, adding that some states are considering trying to standardize the approach. EPA also says it plans to craft some form of guidance on the issue.

Goffman said that, similar to the rate-to-mass conversion, the agency hoped to describe the issue in a broad way, "so the states themselves would be in a position to take the first step." He added that the agency was hoping to hear "a little bit more from states' experience" to inform the issue.

"If there's feedback to give us at this point about whether there's a need for further clarification or maybe some more illustrative examples . . . it will be very helpful," he said.

Several observers say EPA likely will have to provide more information on a range of issues with the ESPS, including guidance on appropriate verification of energy efficiency programs, the rate-to-mass conversion or potentially a model rule.

One attorney tracking the ESPS says states and utilities argue that "it's great to give all the flexibility, but they've got to give some guidance, too." Following such guidance documents might not be considered mandatory, the attorney says, but would give "some idea of what EPA would think is kosher."

Interim Targets

Goffman also addressed another major criticism from states and utilities: that the ESPS' interim targets force too many reductions in early years and could make compliance technically challenging. "We've heard arguments and even seen a little bit of analysis that, while we may intend to enable states and utilities to devise strategies that put them on glide paths [toward GHG cuts], the term we keep hearing is what in fact may happen is compliance will be more like falling off a cliff," he said.

The ESPS includes state-specific final GHG reduction standards that states must meet by 2030 and maintain afterward, but it also includes "interim" 2020 standards that can be met as an average declining emissions rate between 2020 and 2029. So, if a state postpones cuts in early years, it would have to make up for that in later years with deeper reductions to meet the interim level on an average basis.

Goffman's remarks come after acting EPA air chief Janet McCabe told the Environmental Council of the States fall meeting in Santa Fe, NM, that the agency is "looking very hard at the interim goal and the way that was set up," adding it might need to provide more flexibility to states on those targets.

Dropping the interim goal is one major request from Arizona, with the state's top environmental regulator telling *Inside EPA* following a Sept. 9 <u>House energy panel hearing</u> that, "What we'd prefer is that EPA give us the ability to, in our plan, describe how we're going to meet the final 2030 goal, with deadlines and with periodic review by EPA."

Even though the interim targets allow for averaging over a 10-year period, <u>undated comments</u> from the utility industry group Coalition for Innovative Climate Solutions say that states "with emission levels that are above their interim goals in the first part of the compliance period will not be able to achieve reductions sufficient to offset those emissions later in the compliance period."

Noting that the proposal assumes that 11 states would meet 75 percent or more of their final goal in the interim target, the industry group also urges EPA to scrap the interim goals.

"States have a strong economic incentive to gradually implement emission rate reductions so as to avoid abrupt changes in their electric generating, transmissions, and distribution systems," the comments say. "A graduated compliance path would be far less burdensome to state and local economies and still achieve the majority of the emission rate reductions targeted by the Proposed Rule."

Also, Melissa Haugh, an environmental markets expert with energy consulting firm Pace Global, said during a Sept. 16 webinar that the interim targets exacerbate several state implementation challenges by reducing the time a state can weigh generation changes or allow for more natural gas infrastructure.

"If they are done away with, I think that would provide a lot of leeway to states and groups in planning to make some optimal decisions, and not just quick trigger reactions to meet an interim standard," she said. "A significant delay, doing away with, or relaxing of the interim standards would certainly help to alleviate [compliance hurdles] and allow for more strategic planning." -- Lee Logan (llogan@iwpnews.com)

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Harold Mitchell, Jr., Derreck Evans, Mildred McClain Photo of Derrick Evans by Andrew Whitehurst (http://leahmahan.com/comehellorhighwater/about-the-film/media-kit/)

Environmental justice works — and these folks show us how

By Brentin Mock (http://grist.org/author/brentin-mock/)

18 Sep 2014 7:01 AM

I've been asked a lot lately about how environmental justice (http://grist.org/cities/20-its-a-blessing-celebrating-two-decades-of-environmental-justice/) works in practical measures. Making the case for considering race and civil rights in environmental policy, or when planning for climate adaptation, sounds good in theory, but how does that actually play out on the ground?

Environmental justice at the very least entails community residents have meaningful involvement when city planners and government officials start making decisions about changing the landscape. Ideally, it means having residents of the communities that have historically been left out of such processes lead the planning.

As the saying goes among community folks normally left out of these planning processes, "If you're not at the table, then you'll be on the menu." Planners and policymakers are used to eating amongst themselves. Many haven't caught up with that whole notion that the lunch

counter needs to be integrated.

Fortunately, though, there are examples of where these integration exists — and effectively. They can be found in the EPA's Environmental Justice Collaborative Problem-Solving (EJCPS) (http://www.epa.gov/environmentaljustice/resources/publications/factsheets/cps-fact-sheet-111913.pdf) cooperative agreements program. The goal here is to build equitable development into urban and rural planning efforts by assembling as many stakeholders as are willing — residents, government officials (local, state, federal, tribal), business and industry reps, academics. But with an emphasis on the residents. These collaborative projects seek to ensure that disadvantaged communities don't become the feasts of profit-hungry developers who might be insensitive or oblivious to residents' needs.

To qualify for the grants, organizations have to use the EPA's Collaborative Problem-Solving (CPS) (http://www.epa.gov/environmentaljustice/resources/publications/factsheets/cps-fact-sheet-111913.pdf) model, which was drafted and finessed based on successful community-led, federally-assisted revitalization projects dating back to the 1990s. One of the best examples can be found in the small city of Spartanburg, S.C., where the community nonprofit ReGenesis Project used a small EPA grant for \$20,000, way back in 1997, to breathe life back into the predominantly African-American and blighted Forest Park and Arkwright communities.

Harold Mitchell, a Spartanburg local, had been trouble-shooting with his Forest Park/Arkwright neighbors about how to address the crime and drugs in their community — both growing problems, as was the case in many cities large and small throughout the 1990s. While other cities chose to get tough by ramping up many of the criminal justice policies that spawned the mass incarceration crises we have today, Mitchell chose to examine the roots of crime: poverty and poor health. He found that his neighbors were suffering from a number of health problems resulting from an old fertilizer plant and a waste dump in their midst.

Pulling the community together to form ReGenesis, Mitchell worked with EPA, city and county officials, and business leaders to embark upon an ambitious campaign to revitalize the community's help. Seventeen years later, Forest Park and Arkwright are virtually brand new. The former fertilizer plant and dump have been replaced with new, sorely needed health facilities, affordable housing to replace the blighted stock, and a recreational center, complete with botanical gardens and other green perks (http://www.dp3architects.com/places/cc-woodson-community-center/). ReGenesis was able to pull over \$300 million from foundations, investors, and other government agencies to make this happen.

Let's walk that back: In order to address crime and drug use, community residents leveraged a \$20,000 grant into hundreds of millions of dollars for a complete community makeover.

The Spartanburg example helped inform the formula EPA created for its collaborative problem solving program (EJCPS) for vulnerable communities. It's what community folk in Turkey Creek, Miss., (http://grist.org/climate-energy/southern-survival-on-the-gulf-coast-a-community-fights-for-its-life/) used to lead preservation and rebuilding efforts after Hurricane Katrina and the BP oil disaster. It's also the model that Harambee House Inc. used (http://blog.epa.gov/ej/2013/05/can-one-community-organization-change-an-entire-city/) as one of the first organizations in the EJCPS program to address environmental problems among black communities in Savannah, Ga., back in 2004. Harambee has helped pull off similar progress by utilizing Spartanburg's model, and they have worked in remote partnership with ReGenesis (http://blog.epa.gov/ej/2014/09/collaborating-for-sustainable-change/) so they continue to build and improve upon the concept.

This equation comes from Harambee:

Community Building + Capacity Building + Citizen Engagement in Policy-making +
Government Actions =

Sustainable Environmental and Social Change

This is a solid formula for how environmental justice can work as policy, if given a shot and some patience. It can also be applied, and really should, for climate change adaptation and resilience planning.

This year's EJCPS 12 grant recipients will follow and hopefully improve upon the equation. You can read about what they'll be doing here (http://www.epa.gov/environmentaljustice/resources/publications/grants/cps-project-abstracts-2014.pdf). A few samples:

The Mississippi Conference of Black Mayors plans to use the formula to address the ongoing problem of toxic lead exposure, a legacy of the old housing stock found throughout Mississippi Delta region. Kids in the state also get it from the abuse of pesticides and toxic chemicals from nearby farms and factories. Lead exposure not only stunts children's neurological development, but also has been linked to violent behavior (http://www.forbes.com/fdc/welcome_mjx.shtml) later in life, according to some scientists.

In North Carolina, the Greensboro Housing Coalition (http://greensborohousingcoalition.com/) will use the collaborative approach for a plan to improve housing conditions for low-income families, leverage resources for mold and lead

abatement, strengthen inspection enforcement policies, and create safer dwellings for immigrant workers and families.

None of this will be easy — it took Spartanburg almost 20 years to achieve its results. It's not the same as just parachuting developers in topave and build over whatever's already there, which, I'm sure, would be quicker. But the outcome of the collaborative problem-solving model is a community residents can live with — because they're at the table, not on the menu, which means everybody eats.

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7. CLIMATE:

17 state utility commissioners say EPA plan would be bad for reliability

Jean Chemnick, E&E reporter

Published: Thursday, September 18, 2014

U.S. EPA should reconsider its proposal for existing power plants in order to keep a reliable supply of inexpensive power flowing to consumers, a group of 17 current and future utility commissioners said today.

In a <u>letter</u> organized by the National Mining Association's Count on Coal campaign, the officials called EPA's June 2 proposal an assault on reliable and affordable power.

"Our concern with the EPA's proposed carbon rules is that they fail to adequately forecast the serious economic and reliability impacts of dramatically reduced or even elimination of coal-fired generation," they wrote.

The proposal relies on four so-called building blocks in setting state carbon intensity targets -- including a state's capacity to ramp up the use of existing combined-cycle natural gas power plants to replace power from coal-fired units. The draft's supporting documents estimate that up to 19 percent of the nation's coal plants will become "uneconomical" as a result of the rule, though it does not compel states to achieve their standards by reducing reliance on coal.

But that did not comfort the utility commissioners, many of whom could have a role in crafting their state responses to the federal rule.

The letter pointed to an analysis by the Public Utilities Commission of Ohio, which predicted that the rule would drive up power rates in the Buckeye State by 30 percent, mostly as a result of reduced coal use.

EPA officials say any increase in power rates due to the rule will be offset by reduced demand, keeping electricity bills steady.

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Oklahoma City marchers will call for greater action to combat climate change

by Silas Allen (/more/Silas Allen) (?rel=author) Modified: September 18, 2014 at 6:08 pm • Published: September 18, 2014

A group of environmental activists, clergy and others plans a demonstration Sunday in Oklahoma City to call for greater action to combat climate change.

Nathaniel Batchelder, one of the organizers, said the march will emphasize three points: climate change is real, it's predominantly caused by human activity, and all humanity must participate in solutions.

Batchelder, director of the Peace House in Oklahoma City, said the march is intended to challenge federal policymakers and others who question the science behind climate change. Marchers will be encouraged to contact their elected officials to demand action, he said.

"A lot of things have simply got to change in order for us to live on this planet in harmony with nature," he said.

National movement

Marchers will gather at 1:30 p.m. Sunday on the east lawn of the Municipal Building. Remarks from several speakers will begin at 2 p.m., followed by a mile-long march through downtown beginning at 2:30 p.m.

The march is one of several being held in cities across the country in conjunction with the People's Climate March, a planned demonstration to be held Sunday in New York. A similar march is scheduled Sunday afternoon in Tulsa.

The demonstrations come just days before President Barack Obama and other world leaders will meet for a United Nations emergency summit on climate change. More than 120 heads of state are expected to attend the summit on Tuesday in New York.

Climate scientists predict longer, hotter summers, more intense droughts and more frequent heat waves in Oklahoma and much of the Great Plains. A White House climate report released in May suggested those effects are already being felt across the country.

United Nations climate reports have warned of floods, withering heat, food shortages and other dire consequences worldwide if immediate action isn't taken.

Dissenting voices

But many federal policy makers have dismissed those warnings.

Sen. Jim Inhofe, the most vocal skeptic in Congress of human-induced climate change, called the White House report "alarmism."

Inhofe, R-Tulsa, called on President Barack Obama to enforce transparency and accountability within the Environmental Protection Agency and criticized the agency for not considering the economic impact of its regulations.

"We can all agree that natural variations in the climate are taking place, but man-made global warming still remains a theory," Inhofe said. "The president's climate change policies will only cause a greater disparity in our nation's income gap and prevent our nation from achieving its full economic potential."

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ALL COMMUNITIES LOCAL NEWS WEATHER

Sounding Off: Best Southwest, Oak Cliff and Grand Prairie readers tell us what should be done about Great Trinity Forest wetland destruction

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Published: 18 September 2014 01:42 PM Updated: 18 September 2014 02:24 PM

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What should be done about the destruction of wetlands in the Great Trinity Forest?

Stan Aten, Oak Cliff: To protect the environment of the Trinity River and Trinity River Forest requires a change in attitude in how our city views the river. In the past, the Trinity River was a dumping ground for excess water, trash and other unwanted elements of our city.

The biggest mistake environmentalists have made is trusting in the word of city officials. Their word is meaningless since their primary goal is to develop the Trinity River into an economic engine. If the existing environment is destroyed, well, so what? It is just trees and nature, we can make it better.

Instead of trying to make the Trinity River into some of developed theme park for recreation, we should try and leave the river alone as much as possible and focus on what nature is left. As part of that effort, the city should create a Forestry Department to protect the Trinity River Forest from any further damage by the city of Dallas.

Derek Barclay, Grand Prairie: It's discouraging to hear that any of our wetlands or water resources are in jeopardy considering the problems that face our state with regard to water. Fish, vegetation and other organisms being protected are necessary for the continued health of our environment and ourselves. The line should enclose development and keep a tight circle around it so that the environment can thrive. We have to give up this idea that if we aren't growing we're dying and figure out how to do more with less. Most resources should be devoted to ensuring the health of the environment.

Donna Barnes, Duncanville: Well, it's obvious to me that [city officials] thought they could get away with this. And if [Ben] Sandifer hadn't inadvertently come upon the site then they would have continued. From the top all the way to the bottom, anyone associated with this destruction of wetlands should be ashamed of themselves. I'm sure that there are other areas where they could construct a golf course and not damage and destroy wildlife habitats and not to mention the hundreds of trees destroyed.

No construction should be done anywhere near any habitat, ever. I know I might sound like a nut, but just remember that we share this planet. We are responsible for the care of it and if we don't take care of it, what will future generations have?

Bill Betzen, Oak Cliff: Everyone responsible for this destruction of our city's greatest treasure needs to be identified, all the way up and down the power structure. If this is an isolated performance flaw, they should not be fired but be allowed to appear before the City Council and give an explanation as to how it happened.

Some may resign instead of face the questions from council members that hopefully would come. The priority given to habitat destruction needs to rise. The lack of supervision and direction from top management needs to be questioned. Such attention given to these incidents will help that to happen. Maybe an apology would happen. Never having a repeat of such an incident is mandatory.

Mike Brooks, Cedar Hill: I retired for a year and a half, then took up truck driving in the lower 48 for sport. I've seen rivers. Recently. The Trinity ain't one of them. In the present drought, maybe only us old natives still want flood control and levies. If you can keep the thing within its banks when the heavens finally open up, build the course.

Mike Conner, Grand Prairie: As a major city in North Texas, Dallas should have its ducks in a row when it comes to implementing any construction project, especially in a protected and environmentally sensitive area, but such is not the case.

The ponds should not have been drained, the construction company knew it was in an environmentally sensitive area and either it was given permission to drain the ponds or it did it of its own accord, either way the city of Dallas and the construction company are both at fault for not having the vision to make sure the project proceeded in such a fashion as to not impact the area around it.

Trees should not have taken down unless it was absolutely necessary to complete the project. The construction company should have to pay for a minimum of 2-5 trees to be planted in place of every tree that was removed.

The line should be drawn and plainly shown as to what the company can and can't do to complete the project. If there was a line, the company clearly did not follow the rules and Dallas is at fault for not enforcing the rules. If the company did not receive any rules, they should have known there probably was some rules and should have questioned as to why they didn't get any.

Paula Craig, Oak Cliff: This destruction in the Great Trinity Forest is clearly a problem of ignorance. Environmental education is being neglected. Too many city workers don't understand what is valuable. Would a contractor be hired to renovate a city-owned mansion whose workers smashed the antique mirrors, destroyed intricate stairways and dug up the historic gardens? Hopefully, no. Then no contractor should be hired whose consciousness has not been raised about the incredible value of our natural home.

Many thanks go to Sandifer and his colleagues. With their guidance the city could provide required classes in English and in Spanish and change the culture of destruction.

Don Hughes, Cedar Hill: There is never an ethical reason to destroy or abuse our natural habitats. Many species of wildlife are being threatened by human endeavors, whether it is construction development or so-called wildlife conservation. Much of government's answer to both issues is the destruction of animal life and the spoilage of wooded areas. The exploitation of natural habitats for profit is nothing new, it has been man's ambition to eliminate everything that is of nature for the advancement of man-made inventions.

I am a trained biologist and environmentalist, and have worked closely with all levels of government and industry for the protection and preservation of our natural habitats. It has been my experience that government, like industry, does not respect nature, but instead views its relationship to nature as adversarial. There seems to be no regard or acknowledgement for the negative impact that society has on the natural world. One case in point is the ever-increasing problem of litter in our cities and rural areas. This kind of irresponsible behavior is not sustainable. What are people thinking when they trash the environment resulting in the destruction of wildlife habitats?

The Trinity River Project is an ongoing venture with good intentions, but is currently being compromised. Companies and individuals who support projects like the Trinity Forest golf course without carefully assessing the environmental impact and taking the necessary precautions to protect affected areas, is nothing short of flagrant.

Wayne Johnson, Duncanville: I've been proud of the fact that Dallas has the largest urban forest in the country, so I was saddened then angered to learn of the damage that it sustained. I hope the city of Dallas will restore it as it was and protect it for the future.

Fred Knight, Duncanville: Naturalists and environmentalists wish to do away with humanity. They have pushed the EPA to take over people's property rights. People cannot build because of some mysterious frog. They cannot use water out of a pond that was built years ago. Just another bunch that wishes to control other people's lives.

Kevin Loyd, Grand Prairie: All of those concerns should have been looked into before plans were made to build the golf course and those, who are now upset over what has happened, should get a life and let the course be built as scheduled. If the environment and area wildlife are being jeopardized, then address those concerns before the work gets started and not after.

Joyce Pinter, Mountain Creek: Any ruination of green areas is a travesty, especially if it is for something banal like a golf course. There are only a limited number of green areas left in Dallas County and they should be preserved. Once gone, they are no more. This area was supposed to be protected and someone didn't do their job. This is totally unacceptable.

E.B. Pope, Lancaster: How totally sad that our wonderful resource, the largest urban forest in America, is being trashed in the interest of "progress!"

Rayanna Talley, South Dallas: If we, as citizens, hadn't believed this would happen we were only fooling ourselves. Everything in

government is for sale, otherwise exactly why would have that particular sentence about using the pond water and anything else they want, have been added to the contract? I have become so disillusioned with both our elected officials and civil servants. The civil servants seem to have their grubby hands out and the elected officials seem to all have their back pockets opened for any person or corporation that will donate to them.

It makes my heart sad to feel this way. As a citizen of the city of Dallas and Dallas County, I would sure like to see us all refuse to use the club or ever go to any event held there.

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Agency can look at rig owner's role in oil spill

Deepwater Horizon Rig

In this Wednesday, April 21, 2010 file photo, oil can be seen in the Gulf of Mexico, more than 50 miles southeast of Venice on Louisiana's tip, as a large plume of smoke rises from fires on BP's Deepwater Horizon offshore oil rig. An April 20, 2010 explosion at the offshore platform killed 11 men, and the subsequent leak released an estimated 172 million gallons of petroleum into the gulf. U.S. District Judge Carl Barbier ruled Thursday, Sept. 4, 2014, in New Orleans, La., that BP acted recklessly and bears most of the responsibility for the oil spill. The ruling exposes BP to about \$18 million in civil fines under the Clean Water Act. (AP Photo/Gerald Herbert, File)

The Associated Press By The Associated Press on September 18, 2014 at 6:34 PM

A federal appeals court in New Orleans has upheld a federal safety board's right to investigate the role of Transocean Deepwater Drilling Corp. in the 2010 Gulf of Mexico oil disaster.

Transocean owned the Deepwater Horizon rig that was drilling for BP PLC at its Macondo well, about 50 miles off the Louisiana coast when an explosion killed 11 workers and led to the nation's worst offshore oil spill.

The company had challenged the authority of the U.S. Chemical Safety and Hazard Investigation Board, often referred to as CSB, to do the investigation.

In a 2-1 decision Thursday, the 5th U.S. Circuit Court of Appeals upheld a lower court's ruling that the board could investigate.

Transocean officials did not immediately respond to messages seeking comment.

The investigation had continued during the appeal. In June, the board issued a report citing multiple failures and improper testing of the rig's blowout preventer as factors in the explosion and found fault with BP and Transocean.

In affirming the safety board's authority to investigate the accident, the 5th Circuit noted that the law gives the board power to look into the accidental release of hazardous materials into the air from a "stationary source."

Transocean contended that the Deepwater Horizon, a portable rig that was moved from well site to well site, was a vessel under the law and not a "stationary source." The courts, however, decided that the rig

was a stationary source under the provisions of the Clean Air Act. "In this case, the Deepwater Horizon was deployed to the Macondo well site in February 2010 and had remained in place at the site for approximately two months," Judge Thomas Reavley wrote in an opinion joined by Judge James Graves.

Judge Edith Jones dissented.

"This is the first time, in twenty years after CSB was ordained, that the agency has sought to investigate in connection with an offshore oil spill," Jones wrote. "The majority's interpretation of the Clean Air Act disregards the plain meaning of words and grammar and the most fundamental maritime concept, which is the definition of a vessel."

Last year, while the appeal was pending, the 5th Circuit had refused Transocean's request that it temporarily block enforcement of subpoenas of material sought by the safety board. The subpoenaed materials were eventually turned over, CSB spokesman Daniel Horowitz said in an email. "Unfortunately, the extensive judicial challenges have meant that we couldn't effectively pursue all the witness interviews that we typically would have in a major case," Horwitz said.

"With this decision, there is a clear path to completing the investigation in the first part of next year," he added.

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Opponents of lawsuit against oil and gas companies lose a round



Advocate staff photo by JOHN McCUSKER -- John Barry speaks before the nomination committee of the Southeast Louisiana Flood Protection Authority-East Thursday, September 18, 2014. He spoke in favor of Paul Kemp's nomination.

Committee votes to let pro-lawsuit scientist retain his seat

By Jeff Adelson

jadelson@theadvocate.com

Supporters of a controversial <u>lawsuit seeking to force oil and gas companies to</u> repair alleged widespread damage to Louisiana's coast got some breathing room Thursday when a nominating committee narrowly recommended that a coastal scientist who supports the suit should retain his seat on the board.

Barring unexpected political maneuvering or changes of heart, the committee's nomination means Paul Kemp will continue to serve on the Southeast Louisiana Flood Protection Authority-East at least through next year's legislative session,

maintaining a slim majority on the board in favor of continuing the case it brought last year against more than 90 oil and gas companies.

That would frustrate <u>Gov. Bobby Jindal's continuing efforts to remove</u> <u>commissioners</u> who support the suit from the board and should provide time for a federal judge to decide the crucial issue of whether a state law intended to kill the suit does, in fact, do so.

In response to the nominating committee's action, the Jindal administration pledged to continue fighting to kill the suit.

The committee's meeting Thursday was relatively contentious, and Kemp's renomination to a technical seat on the authority came by a one-vote margin after committee members deadlocked twice on the issue.

At the same time, some of the nine committee members at the meeting pushed back at suggestions that the lawsuit should play any role in their recommendations for authority members. They said they should be focused on picking candidates who would do the best job of overseeing the levees, floodwalls and other flood defenses for the east bank of the New Orleans area.

"I have no idea why this committee is debating the lawsuit," said Nick Altiero, who represents Tulane University's School of Science and Engineering on the committee. Altiero said he and the other members, who represent universities, professional organizations and think tanks, were put on the nominating committee simply to judge the qualifications of applicants for the authority.

"We should vote on credentials. We should put the best possible people on there, and they will vote the way they vote," Altiero said.

The committee then voted to recommend flood authority Commissioner Jeff Angers, whom Gov. Bobby Jindal appointed last year and who has opposed the suit, and engineer Mark Morgan, who also is opposed to the case, as options for a second, nontechnical seat on the board, with the governor deciding which one to select.

Under the complex rules governing who serves on the board, the nominating committee must submit names to be approved by the governor and confirmed by the state Senate. The nominating committee submits only one name for technical and scientific seats on the authority, essentially giving the committee the power to decide who fills those slots, but it sends up two nominees for each of the nontechnical slots.

With only three nominees in the running for two seats, Thursday's meeting focused

on whether Kemp would remain in a technical seat or be recommended as one of the two candidates for the at-large seat, with Morgan given the technical slot. Given Jindal's opposition to the lawsuit, which already has led to the ousting of four commissioners who voted to file it, the governor almost certainly would have decided against reappointing Kemp.

The flood protection authority filed the suit against nearly 100 oil and gas companies last summer, accusing them of doing billions of dollars in damage to coastal wetlands through drilling, dredging and other activities. That damage has, in turn, allegedly led to coastal erosion that has hurt flood protection in the New Orleans area by removing wetlands that had served as a barrier to storm surge.

The case has been attacked by Jindal and other elected officials, and state lawmakers this year passed a law aimed at retroactively blocking the suit. U.S. District Judge Nannette Jolivette Brown is expected to hear arguments from the authority's lawyers, who say that law is unconstitutional and doesn't apply to the authority anyway, and from the oil companies about the effect of the law and other issues that could determine whether the case moves forward at a hearing in November.

Kemp is a well-respected expert on coastal issues and, as some of his supporters noted, the only sitting member of the authority who specializes in studying areas outside the flood protection system. The former head of the Audubon Society's Gulf Coast Initiative, he also has been noted for his studies of the land bridge between New Orleans and Slidell and its impact on reducing storm surge.

"To say Kemp is not qualified as a technical engineer is pretty much absurd," Louisiana Engineering Society representative Lee Alexander said.

The split on the board led to two tie votes, with four committee members supporting Kemp for the technical slot and four supporting Morgan. The tie eventually was broken by Chacko John, of the Louisiana Geological Survey at LSU.

John abstained from the first two votes, saying he didn't feel there had been enough applicants. He also noted the complexity of the decision and voiced concern over how much weight to give the lawsuit and the governor's presumed opposition to Kemp's nomination.

"There is no debate in my mind about the qualifications of Paul Kemp," John said. "We nominated him the first time, and he was on the board and did a good job. As far as Mark Morgan is concerned, he is also a good candidate."

John said after the meeting that he voted in favor of keeping Kemp in his current seat because of his credentials. He also noted that this approach could put an extra engineering specialist on the board, should Jindal appoint Morgan to the other seat.

The strongest opposition to keeping Kemp in the technical spot came from South Lafourche Levee District General Manager Windell Curole, who has opposed the suit since it was filed and who represents the Association of State Floodplain Managers on the nominating committee. Curole said the authority's decision to continue pursuing the case in the face of attacks from Jindal and other attempts to kill the suit have taken the focus away from its main purpose.

"The way things fell, there was a time when it was obvious that this was not the best (approach) for flood protection in New Orleans," Curole said.

Morgan's appointment to the technical seat also was supported by committee Chairman Jay Lapeyre, who several times asked the other members whether supporting the lawsuit was in the best interests of the board and of flood protection in the area. He was joined by American Society of Civil Engineers representative Jerry Klier, who said he attends church with Morgan.

Klier noted that Morgan served on the flood protection authority's sister board on the West Bank when the two entities were first created in 2007, and he said more engineers are needed on the east bank board.

Other than an easier nomination process, there is no difference between commissioners who hold technical seats and those in the nontechnical seats.

Kemp's appointment is not yet a done deal, and the prospects for the lawsuit itself remain far from certain.

The Jindal administration tried earlier to reject the nomination of a pro-lawsuit commissioner, former authority President Tim Doody, though the <u>nominating committee successfully pushed back against that effort</u>. Doody was later removed from the board after Jindal was given the choice between appointing him or <u>St.</u> Bernard resident Tyrone Ben.

Assuming the governor accepts Kemp's nomination, Kemp would serve on the authority at least until the state Senate votes on his confirmation, presumably during the legislative session next year. If he is rejected — a strong possibility in view of most senators' support for the bill intended to kill the lawsuit — the nominating committee would have to find someone else to fill his seat.

Asked about their next steps, Jindal administration officials said they will continue to work against the lawsuit. "We are opposed to the lawsuit because it's a waste of taxpayer dollars and exceeds the authority of (the flood protection authority)," Jindal spokeswoman Shannon Bates said. "And we will continue to use the full

authority of the Governor's Office to stop it."

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TEXAS

Energy and Environment Reporting for Texas

Despite Some Rain, Drought Still Grips Texas Towns

SEPTEMBER 18, 2014 | 9:47 AM BY MOSE BUCHELE

Summer brought no relief from drought in many parts of Northwest Texas. But storms related to Hurricane Odile could bring some much needed rain. The region, like much of Texas, has been struggling with drought for years. Now some communities there are now faced with a difficult task: find new water, or go dry.

Take the small Texas town of Gordon. Kenneth Epperson works for the Water Department there. By the end of



EPA/LARRY W. SMITH /LANDOV

A car tire lays exposed in the dried lake bottom at Lake Abillene near Abilene, Texas.

August, the town had about four months of water left for close to 800 users. So he's looking at his options, one of which is possibly getting water from a local rancher who has a lake on his land and bring it to the town treatment plant via pipeline.

Gordon is just one of many towns facing the prospect of running dry, and because the crisis is regional, stretching across city and county lines, officials are needing to get creative when considering new supplies. "You know, all over, this northwest Texas is kind of in a bind," Epperson says.

For example, Epperson says his town has grant money to tie into the nearby Lake Palo Pinto Municipal Water District. But that water system is running dry, too.

"We are at about 15 percent capacity, and we have about a year left in our lake," says Lance Howardson, City Manager for Mineral Wells, which draws from Palo Pinto.

Howardson is considering tapping a city-owned reservoir. But there's a problem there, too.

"That has a limited value to it because Lake Mineral Wells is quite low as well. But it does give us an additional six months or so of water," he says.

Other options include desalination of water from the Brazos River, or buying water from another town to their east: Weatherford, Texas. They're part of the Tarrant Regional Water System, which has reservoirs going into East Texas, a wetter part of the state.

Whether water is pulled from dwindling local supplies or brought in from wetter East Texas, Howardson says it will mean the same thing for ratepayers: The price of water is going up for the drought-stricken citizens of Northwest Texas.

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Texas proposes rewriting school text books to deny manmade climate change

Analysis of proposed 6th grade texts show they falsely claim scientific disagreement about global warming

Suzanne Goldenberg Follow @suzyji Follow @GuardianUS theguardian.com, Tuesday 16 September 2014 07.31 EDT



A coal-fired power plant in Texas. A proposed Texan school text book wrongly says: 'scientists…do not agree on what is causing the [climate] change' Photograph: David J. Phillip/AP

Texas has proposed re-writing school text books to incorporate passages denying the existence of climate change and promoting the discredited views of an ultraconservative think tank.

The proposed text books – which come up for public hearing at the Texas state board of education on Tuesday – were already attracting criticism when it emerged that the

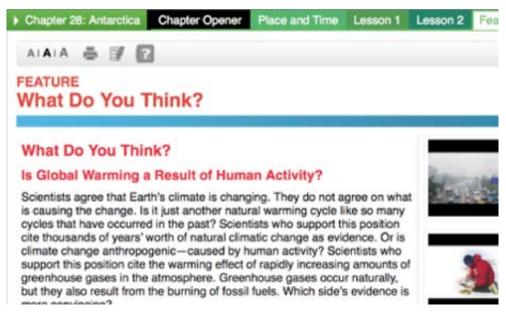
science section had been altered to reflect the doctrine of the Heartland Institute, which has been funded by the Koch oil billionaires.

<u>A report from the Texas Freedom Network and the National Centre for Science</u> <u>Education on Monday</u> found a number of instances where the proposed texts rejected recognised science.

In the proposed 6th grade texts, students were introduced to global warming amid false claims that there was scientific disagreement about its causes.

"Scientists agree that Earth's climate is changing. They do not agree on what is causing the change," the passage reads.

It quotes two staffers at the Heartland Institute who are not scientists.



An entry in the Texas school texts making false claims about the driver of climate change Photograph: Texas Freedom Network

However, as the analysis noted, there is no scientific disagreement about the causes of climate change. The report said the entire section was misleading. "Scientists do not disagree about what is causing climate change, the vast majority (97%) of climate papers and actively publishing climatologists (again 97%) agree that human activity is responsible," the report said.

The NCSE experts also took issue with the prominence given over to Heartland. The views of a fringe were given greater prominence than the findings from the thousands of scientists contributing to the <u>United Nations' blockbuster IPCC reports on climate change</u> on the opposite page.

Minda Berbeco of the NCSE said that the disinformation was a disservice to a new

generation of Texans who will have to deal with climate change. "Climate change will be a key issue that future citizens of Texas will need to understand and confront, and they deserve social studies textbooks that reinforce good science and prepare them for the challenges ahead," she said in a statement.

Kathy Miller, the president of the Texas Freedom Network, suggested that the proposed text books had been deliberately aligned with the political ideology of the rightwing Tea Party. A majority of Republicans in Congress deny the existence of global warming or oppose action on climate change.

The NCSE reviewers also found disinformation on climate change in the proposed 5th grade text books. The passage reads: "Some scientists say it is natural for Earth's temperature to be higher for a few years. They predict we'll have some cooler years and things will even out."

But the centre said that was incorrect. "We are not aware of any currently publishing climatologists who are predicting a cooling trend where 'things will even out."

The reviewers said the proposed 6th and 8th grade texts also contained false statements on the causes for the thinning of the ozone layer.



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Chevron meets shale drilling standards

The voluntary standards are designed to clean up fracking.



PITTSBURGH — Chevron has become the first energy company to meet a new set of voluntary shale gas drilling standards that aim to go beyond existing state laws in Pennsylvania, Ohio and West Virginia, the Pittsburgh-based Center for Sustainable Shale announced Thursday.

The center is a partnership between major energy companies, environmental groups and charitable foundations. Its certification process consisted of an independent review of Chevron documents and 22 of its production sites in the three states.



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is based in San Ramon, California.

The program is meant to work much like Underwriters Laboratories, which puts its familiar UL seal on electrical appliances. The review was conducted by Bureau Veritas, an international testing company that also handles the LEED review process for the U.S. Green Building Council.

Nigel Hearne, president of Chevron's Appalachia operations, said that the 15 Sustainable Shale standards "will produce meaningful results" in reducing pollution and freshwater use, and that he hopes other energy companies join in the process. Chevron Corp.

The Sierra Club and other some environmental groups have harshly criticized the Sustainable Shale program, saying voluntary efforts are no substitute for tougher state and federal regulations. But one environmental group that worked on the project welcomed Chevron's announcement.

Chevron's pledges to recycle drilling fluids, not use open waste pits and to reduce methane leaks address "very big" concerns for many people, said Davitt Woodwell, president of the Pennsylvania Environmental Council. Chevron also says it now discloses all of the chemicals used in the hydraulic fracturing, or fracking, process in the region. Woodwell said his group hopes other drilling companies take similar actions.









The fracking process uses millions of gallons of high-pressure water mixed with sand and chemicals to break apart rock rich in oil and gas. That has led to a boom in production from the Appalachian Marcellus Shale formation and in other states, but also concerns about water and air pollution.

When the Sustainable Shale project was announced in early 2012, some energy companies said they realized they needed to do more to reassure the public about the safety of fracking. Some environmentalists said they joined the Sustainable Shale project after coming to the conclusion that hundreds of billions of dollars in oil and gas is going to be extracted one way or another and that working with the industry is the quickest path to making the process safer.

In addition to Chevron, other Sustainable Shale participants are Shell, EQT Corp., Consol Energy, the Environmental Defense Fund, and the Clean Air Task Force. Paul O'Neill, former treasury secretary, and Christine Todd Whitman, a former New Jersey governor and Environmental Protection Agency administrator, also serve on the board of directors.

Tulsa-based WPX Energy also drills extensively in the Marcellus Shale lying beneath Pennsylvania.

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